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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

ROAR SPIRITS, LLC, A DELAWARE
LIMITED LIABILITY COMPANY, F/K/A
EL BANDIDO YANKEE, LLC

Plaintiff,

vs.

REBEL WINE CO., LLC, a California
limited liability company,

Defendant.

Case No. 4:23-cv-04809-HSG

**JOINT STIPULATED REQUEST AND
ORDER TO ADD MATTER TO
OCTOBER 22, 2024, CIVIL CASE
MANAGEMENT CONFERENCE
CALENDAR (as modified)**

Pursuant to Civil Local Rules 7-1, 7-12 and 16-10(c), Plaintiff Roar Spirits, LLC f/k/a El Bandido Yankee, LLC (“Roar”) and Defendant Rebel Wine Co., LLC (“Rebel”) (collectively, the “Parties”), by and through their respective counsel, hereby request that the Court add the below-identified matter to its October 22, 2024 Case Management Conference calendar pursuant to the Parties’ stipulation.

The Parties stipulate as follows:

WHEREAS, this proceeding before the Court is an appeal of a decision of the Trademark Trial and Appeal Board of the U.S. Patent and Trademark Office brought pursuant to 15 U.S.C. § 1071;

WHEREAS, in civil actions brought pursuant to 15 U.S.C. § 1071, the testimony and exhibits of the record in the United States Patent and Trademark Office shall be admitted on motion of any party and shall have the same effect as if originally taken and produced in the suit. See § 15 U.S.C. § 1071(b)(3);

WHEREAS, on July 10, 2024, the Parties filed a Stipulation to Admit the record from Opposition No. 91268314 in United States Patent and Trademark Office (“July 10, 2024 Stipulation”). See ECF 32;

WHEREAS, on July 11, 2024, the Court denied the Parties’ July 10, 2024 Stipulation. See ECF 34;

WHEREAS, the Parties wish to obtain the Court’s input on how best to proceed concerning the preferred process and procedure for the admission of the testimony and exhibits of the record from Opposition No. 91268314 in the United States Patent and Trademark Office; and

WHEREAS, pursuant to the Court’s Civil Pretrial and Trial Standing Order the Parties’ deadline to meet and confer for Pretrial preparation is October 22, 2024.

NOW THEREFORE, the Parties hereby jointly request that the Court add this matter to its October 22, 2024, Case Management Conference calendar to discuss the admission of the testimony and exhibits of the record from Opposition No. 91268314 in the United States Patent and Trademark Office.

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Dated: October 14, 2024

Respectfully Submitted,

DICKENSON, PEATMAN & FOGARTY

/s/ J. Scott Gerien

J. Scott Gerien

Attorneys for Defendant
REBEL WINE CO., LLC

Dated: October 14, 2024

WOLF, RIFKIN, SHAPIRO, SCHULMAN &
RABKIN, LLP

/s/ Paulo A. de Almeida


Paulo A. de Almeida

Attorneys for Plaintiff
ROAR SPIRITS, LLC f/k/a EL BANDIDO
YANKEE, LLC

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED. The case management conference is set for October 22, 2024 at 2:00 p.m. via a Zoom webinar. The Zoom information is: <https://canduscourts.zoomgov.com/j/1607976056?pwd=aW5leE14UkJRbkdpTGJFWFUrRG1Cdz09> Webinar ID: 160 797 6056/Passcode: 129759. All attorneys and pro se litigants appearing for the case management conference are required to join at least 15 minutes before the hearing to check-in with the CRD.

Dated: 10/15/2024


The Honorable Haywood S. Gilliam, Jr.
United States District Judge

dpd&f
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